

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 19 JUL 2005

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| Applicant's or agent's file reference 199379 HRB | FOR FURTHER ACTION | See Form PCT/IPEA/416 |
| International application No. PCT/NZ2004/000160 | International filing date (day/month/year) 23 July 2004 | Priority date (day/month/year) 28 July 2003 |
| International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ B02C 17/22, 23/00 | | |
| Applicant ALLEN, Ross, Clive | | |

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☒ (sent to the applicant and to the International Bureau) a total of 32 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:

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|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

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|---|---|
| Date of submission of the demand 22 March 2005 | Date of completion of the report 5 July 2005 |
| Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929 | Authorized Officer JOHN DEUIS Telephone No. (02) 6283 2146 |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/NZ2004/000160

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3 and 23.1 (b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages as originally filed/furnished
 - pages* 1-24 received by this Authority on 22 March 2005 with the letter of 22 March 2005
 - pages* received by this Authority on with the letter of
 - ☒ the claims:
 - pages as originally filed/furnished
 - pages* as amended (together with any statement) under Article 19
 - pages* 25-31 received by this Authority on 22 March 2005 with the letter of 22 March 2005
 - pages* received by this Authority on with the letter of
 - ☒ the drawings:
 - pages 1/7-7/7 as originally filed/furnished
 - pages* received by this Authority on with the letter of
 - pages* received by this Authority on with the letter of
 - ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to the sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/NZ2004/000160

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Statement

| | | |
|-------------------------------|-------------|-----|
| Novelty (N) | Claims 1-42 | YES |
| | Claims | NO |
| Inventive step (IS) | Claims 1-42 | YES |
| | Claims | NO |
| Industrial applicability (IA) | Claims 1-42 | YES |
| | Claims | NO |

Citations and explanations (Rule 70.7)

None of the individual citations disclose all the essential features as claimed. Claims 1-42 are novel and involve an inventive step.

The invention is directed to a mill relining apparatus and method comprising an extendible mast, with top and bottom engagement members that can be locked into a substantially upright position within the mill.

The closest art found was:

D1 US 3802150 A (MELTON ET AL.) 9 April 1974

D2: esp@cenet database Abstract SU 609552 A (V NI PI ALYUMINIEVOJ (SU)) 5 June 1978

D3: Derwent Abstract Accession No. 92-198631, Class P41, SU 1678449 A (LVOV BRANCH POWER EQUIP MODERNISATION) 23 September 1991